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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,153	03/11/2004	Chang-Kyu Park	P57043	4316

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Suite 300
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EXAMINER

HU, KANG

ART UNIT	PAPER NUMBER
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3709

DATE MAILED: 11/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/797,153

Applicant(s)

PARK ET AL.

Examiner

Kang Hu

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date See Continuation Sheet.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :03/11/2004, 09/01/2004, 04/24/2006, 10/20/2006, 10/26/2006.

DETAILED ACTION

Specification

1. The specification is objected to because of the following informalities:

API on page 9, ¶ 22 and 23 should be -- Application Programming Interface (API) --.

Appropriate correction is required.

Claim Objections

2. Claims 1, 8 - 11, 14, and 15 are objected to because of the following informalities:

Claim 1, line 10; Claim 8, line 15: "ticket sale information" should be -- the ticket sale information --.

Claim 8, line 10; claim 9, line 12: "an SMS message" should be -- a SMS message --.

Claim 8, line 14 and 15: "ticket sale information" should be -- the ticket sale information --.

Claim 10, line 3; claim 11, line 2: "ARS" should be -- Automatic Response System (ARS) --.

Claim 10, line 16: "ticket sale information" should be -- the ticket sale information --.

Claim 11, line 6: "betting ticket sale system" should be -- betting ticket sales system --.

Claim 14, line 2; claim 15, line 2: "API" should be -- Application Programming Interface (API) --.

Claim 15, line 4: "ticket purchase information" should be -- to the ticket purchase information --.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re claim 1, lines 3 and 4 recites the limitation "the received authentication information".

There is insufficient antecedent basis for this limitation in the claim. It is suggested to be -- the received user authentication information --.

Re claim 2, line 2; claim 7, lines 1, 2, 5-7, 11 and 15; claim 8, lines 2, 3, 5-7, and 11-14; and throughout the rest of the claims recites the limitations "private and public wireless communication networks"; "private wireless communication network"; "public wireless communication network"; "private wireless switch" and "public wireless switch". It is unclear what the applicant considers as private and public wireless communication network and switch and needs to be specified in the claims.

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Re claim 4, line 2 recites the limitation "is performed through". It is unclear how the creation of SMS message can be performed through one of private and public wireless switching systems.

Re claim 7, lines 3 and 4; claim 8, lines 3 and 4 recites the limitation "the received authentication information". There is insufficient antecedent basis for this limitation in the claim. It is suggested to be -- the received user authentication information --.

Re claim 9, line 4 recites the limitation "this user authentication information". There is insufficient antecedent basis for this limitation in the claim. It is suggested to be -- a user authentication information --.

Lines 5 and 6 recites the limitation "the authentication screen". There is insufficient antecedent basis for this limitation in the claim. It is suggested to be -- the user authentication screen --.

Lines 8 and 9 recite the limitations "the optional items" and "the user authentication". There is insufficient antecedent basis for this limitation in the claim. The phrase "the optional items" also renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "optional items"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

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Re claim 10, line 5, 7 and 8 recite the limitations “the user authentication”. There is insufficient antecedent basis for this limitation in the claim. It is suggested to be -- the user authentication information --.

Line 7 recites the limitation “all optional items”. The phrase “the optional items” renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "optional items"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

Line 13 recites the limitation “the mobile communication terminal”. There is insufficient antecedent basis for this limitation in the claim. It is suggested to be -- the mobile terminal --.

Re claim 11, lines 8 and 11 recites the limitation “the wireless network”. There is insufficient antecedent basis for this limitation in the claim. It is suggested to be -- the wireless data transmission and reception network --.

Lines 8 and 9 recite the limitation “the ticket sales server”. There is insufficient antecedent basis for this limitation in the claim. It is suggested to be -- the betting ticket sales server --.

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Lines 7-11 are ambiguous to the exact function of each of the features claimed. The applicant needs to state clearly the functions of the “mobile terminal”, “wireless data transmission and reception network” and “the betting ticket sales server” to define the metes and bounds of the claimed invention.

Re claim 12, line 1 recites the limitation “wireless network”. There is insufficient antecedent basis for this limitation in the claim. It is suggested to be -- the wireless data transmission and reception network --.

Re claim 14, line 1 recites the limitation “the ticket sales server”. There is insufficient antecedent basis for this limitation in the claim. It is suggested to be -- the betting ticket sales server --.

Re claim 15, line 5 recites the limitation “the converted ticket purchase data”. There is insufficient antecedent basis for this limitation in the claim.

Line 10 recites “the wireless network”. There is insufficient antecedent basis for this limitation in the claim. It is suggested to be -- the wireless data transmission and reception network --.

Line 10 and 11 recites “the wireless network-interworking API”. There is insufficient antecedent basis for this limitation in the claim.

Re claim 16, line 4 recites “the betting ticket sale processing system”. There is insufficient antecedent basis for this limitation in the claim.

Re claim 17, line 4 recites “the optional information”. There is insufficient antecedent basis for this limitation in the claim. The phrase “the optional information” also renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "optional information"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

Claims 3, 5, 6, 13, 18 and 19 are also considered indefinite because they are dependent upon claims 1, 11 and 17.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Barnes, Jr. (US 2003/0065805)

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Re Claim 1: Barnes discloses a method of receiving user authentication information from a mobile terminal via a wireless communication network to purchase a betting ticket (page 19, ¶ 202; page 44, ¶ 435, ¶ 441, ¶ 442) by wagering a bet, performing user authentication using the received authentication information on the authentication module (125) (page 3, ¶ 34; page 7, ¶ 77; page 9, ¶ 95) and transmitting information on results of the user authentication to the mobile terminal (101) via the wireless communication network (page 1, ¶ 6; page 3, ¶ 39); receiving ticket purchase information from the mobile terminal after completion of the user authentication and selling the betting ticket through communication with a corresponding race management system (gaming computer system) according to the ticket purchase information (page 44, ¶ 435); storing ticket sale information and creating a Short Message Service (SMS) message indicating ticket sale information after selling the betting ticket; and transmitting the SMS message indicating the ticket sale information to the mobile terminal via the wireless communication network (page 3, ¶ 39).

Re Claim 2: Barnes further discloses the wireless communication network is one of private and public wireless communication networks (page 3, ¶ 39).

Re Claim 3: Barnes further discloses the mobile terminal is one of a Personal Data Assistant (PDA), a Personal Communication Service (PCS) terminal, a Digital Cellular Service (DCS) terminal, a smart phone or an International Mobile Telecommunication (IMT) terminal. (page 1, ¶ 5; page 3, ¶ 34.)

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Re Claim 4: Barnes further discloses the creating of the SMS message indicating the ticket sale information is performed through one of private and public wireless switching systems (page 5 and 6, ¶ 61-66).

Re Claim 5: Barnes further discloses the user authentication information includes at least one of an IDentification (ID) and a password, allocated at a time of registering for a wireless ticket purchase service, and a bank account number, registered for the wireless ticket purchase service (page 9, ¶ 95; page 10, ¶ 104).

Re Claim 6: Barnes further discloses the ticket purchase information includes at least one of regional information, race number information, winner determination information, horse number information and betting amount information when the gaming computer system sends information relating to gaming perimeters back to the mobile device (101) (page 44, ¶ 435; ¶ 441; ¶ 442).

Re Claim 7: Barnes further discloses a method comprising receiving user authentication information from a mobile terminal via a private wireless communication network to purchase a betting ticket by placing a wager (page 19, ¶ 202; page 44, ¶ 435; ¶ 441; ¶ 442), performing user authentication using the received authentication information, and transmitting information on results of the user authentication to the mobile terminal via the private wireless communication network (page 3, ¶ 34; page 7, ¶ 77; page 9, ¶ 95); receiving ticket purchase information from the mobile terminal via the private wireless communication network after completion of the user

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authentication and selling the betting ticket through communication with a corresponding race management system (gaming computer system) according to the ticket purchase information (page 44, ¶ 435); storing ticket sale information and transmitting a request for creation of a SMS message indicating ticket sale information to a private wireless switch after selling the betting ticket; and creating the SMS message indicating the ticket sale information in the private wireless switch in response to the request for the creation of the SMS message indicating ticket sale information (page 3, ¶ 39), and transmitting the SMS message indicating the ticket sale information to the mobile terminal via the private wireless communication network (page 3, ¶ 39).

Re Claim 8: Barnes further discloses a method comprising receiving user authentication information from a mobile terminal via a public wireless communication network to purchase a betting ticket by placing a wager (page 19, ¶ 202; page 44, ¶ 435; ¶ 441; ¶ 442), performing user authentication using the received authentication information, and transmitting information on results of the user authentication to the mobile terminal via the public wireless communication network (page 3, ¶ 34; page 7, ¶ 77; page 9, ¶ 95); receiving ticket purchase information from the mobile terminal via the public wireless communication network after completion of the user authentication and selling the betting ticket through communication with a corresponding race management system according to the ticket purchase information (page 44, ¶ 435); storing ticket sale information and transmitting a request for creation of an SMS message indicating ticket sale information to a public wireless switch after the betting ticket is sold; and creating the SMS message indicating the ticket sale information in the public wireless switch and transmitting the

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SMS message to the mobile terminal via the public wireless communication network in response to the request for the creation of the SMS message indicating ticket sale information (page 3, ¶ 39).

Re Claim 9: Barnes further discloses a method comprising of running a ticket purchase application program (page 1, ¶ 5; page 3, ¶ 34) adapted to display a user authentication transmitting this user authentication information to a betting ticket purchase system via a mobile communication system after a user enters user authentication information in the authentication screen; receiving results of user authentication from the betting ticket purchase system, and displaying all of the optional items for a ticket purchase on a single screen when the user authentication succeeds; transmitting set ticket purchase information to the mobile communication system after a user has set all of the optional items displayed on the single screen (page 44, ¶ 435), the GCS station sends all pertinent gaming information to the mobile device and display all of them at once); and receiving and sequentially displaying an SMS message indicating ticket sale information according to the ticket purchase information and a SMS message indicating winning information according to results of a race from the betting ticket purchase system (page 44, ¶ 435).

Re Claim 10: Barnes discloses a method comprising running a ticket purchase application program in mobile terminal to transmit user authentication information to an ARS sale server (125, 135) through a wireless network system; receiving and authenticating the user authentication information in the ARS sale server (125, 135) and transmitting the results of the

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user authentication to the mobile terminal through the wireless network system; displaying all optional items on a single screen of the mobile terminal after the user authentication has been completed, and transmitting set ticket purchase information to a ticket sale processing system through the wireless network system and the ARS sale server (125, 135) after the user has set all of the optional items; selling a betting ticket in the ticket sale processing system according to the ticket purchase information and transmitting ticket sale information to the ARS sale server (125, 135) after ticket purchase information has been received from the mobile communication terminal via a public wireless network; storing the ticket sale information in the ARS sale server (125, 135) and transmitting a request for creation of a SMS message indicating ticket sale information to the wireless network system after receiving the ticket sale information; and creating and transmitting the SMS message from the wireless network system to the mobile terminal indicating the ticket sale information in response to the request for the creation of the SMS message indicating the ticket sale information (page 10 and 11, ¶ 103- 115; page 12 and 13, ¶ 128-136).

Re Claim 11: Barnes further discloses a system comprising of an ARS ticket sales server (125, 135) adapted to transmit a request for a ticket purchase according to ticket purchase information to a betting ticket sale system in response to receiving the ticket purchase information through a mobile terminal, and to transmit a request to create an SMS message indicating ticket sale information in response to the ticket sale information received from the betting ticket sale system; and a wireless data transmission and reception network (page 5 and 6, ¶ 61-66) adapted to provide the ticket purchase information, transmitted from the mobile terminal via the wireless

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network, to the ticket sales server, to create an SMS message indicating the ticket sale information in response to a request for creation of the SMS message indicating the ticket sale information, and to transmit the SMS message to the mobile terminal via the wireless network (page 3, ¶ 39; page 5 and 6, ¶ 61-66; page 10 and 11, ¶ 103-115; page 12 and 13, ¶ 128-136).

Re Claim 12: Barnes further discloses the wireless network is one of a private or public wireless network (page 5 and 6, ¶ 61-66).

Re Claim 13: Barnes further discloses the wireless data transmission and reception network is one of private and public wireless switching systems, each including an SMS message creation unit (page 3, ¶ 39; page 5, ¶ 62).

Re Claim 14: Barnes further discloses the ticket sales server comprises: a wireless network-interworking API adapted to change received and transmitted data formats; an authentication unit (125) adapted to perform user authentication for a ticket purchase; and a storage unit (120) adapted to store the ticket purchase information and the ticket sale information transmitted from the betting ticket sale system (page 8, ¶ 81; page 10, ¶ 104; page 13, ¶ 138).

Re Claim 15: Barnes further discloses a system comprising: a wireless network-interworking API, included with an ARS server of an ARS system, and adapted to convert ticket purchase information into data having a format appropriate to the ARS server in response ticket purchase information received from a mobile terminal, to transmit a request for a ticket purchase

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corresponding to the converted ticket purchase data to a ticket sale processing system, and to transmit a request for creation of a SMS message indicating ticket sale information in response to receiving the ticket sale information from the ticket sale processing system; and a wireless data transmission and reception network adapted to provide the ticket purchase information, transmitted from the mobile terminal via the wireless network, to the wireless network-interworking API, and to create an SMS message indicating the ticket sale information in response to a request for the creation of the SMS message transmitted from the wireless network-interworking API, and to transmit the SMS message to the mobile terminal via the wireless network (page 7, ¶ 78; page 8, ¶ 81; ¶ 82).

Re Claim 16: Barnes further discloses the ARS server comprises: an authentication unit (125) adapted to perform user authentication; and a storage unit (120) adapted to store the ticket purchase information and information transmitted from the betting ticket sale processing system (page 10 and 11, ¶ 103-115; page 13 and 14, ¶ 137-149).

Re Claim 17: Barnes further discloses a mobile terminal comprising: a ticket purchase application program module adapted to display a user authentication screen in response to running a ticket purchase application program and adapted to display a ticket purchase screen, including all optional items to enable a user to set all of the optional information for a ticket purchase, in response to a completion of a user authentication; and a wireless data transmission and reception module adapted to transmit user authentication information and ticket purchase information to a betting ticket sale system, and to receive an SMS message indicating ticket sale

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information and a SMS message indicating winning information from the betting ticket sale system via a wireless communication network (page 3, ¶ 39; page 5, ¶ 62; page 31, ¶ 315).

Re Claim 18: Barnes further discloses the ticket purchase screen displayed by the ticket purchase application program includes at least one of a regional option field, a race number option field, a winner determination option field, a horse number option field and a betting amount option field (page 44, ¶ 435).

Re Claim 19: Barnes further discloses an additional betting button adapted to enable the user to additionally purchase a betting ticket after all of the optional items have been set on the ticket purchase screen displayed by the ticket purchase application program; and a temporary data storage unit adapted to temporarily store previously set ticket purchase information in response to the additional betting button being pushed and additional ticket purchase information being set (page 1, ¶ 14; page 3, ¶ 35; ¶ 36; page 13 and 14, ¶ 138-149).

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Barners 835' and 805' teaches the use of computer program product for providing location based services and mobile E-commerce. Park et al. teaches the use of portable terminal to make payments wirelessly. Donner teaches a general method for wirelessly La Brie teaches a method for wirelessly obtaining information on a cruise ship and the ability to purchase merchandise wirelessly. Chau et al. teaches a method of buying ticket for lotteries. Tanskanen

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204' and 344' teaches a method and system for providing a wireless real time scratch-off lottery game. Nippon Chuo Keibakai teaches a betting application connected with a mobile terminal of user to make wireless betting, used for horse racing betting with mobile betting terminal.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kang Hu whose telephone number is (571)270-1344. The examiner can normally be reached on 7:30 - 5(M-F) (Off every other Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jong-Suk (James) Lee can be reached on 571-272-7044. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/KH/
Kang Hu
Nov 15, 2006


KIM NGUYEN
PRIMARY EXAMINER